

COGBURN LAW OFFICES

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DAVID A. CASTELLAN, an individual;
CECELIA CASTELLAN, an individual;

Plaintiff,

vs.

BANK OF AMERICA, N.A., a national
association; SETERUS, INC., a foreign
corporation; FEDERAL NATIONAL
MORTGAGE ASSOCIATION d/b/a "Fannie
Mae", a government sponsored entity, and DOES
I through X, inclusive; ROE CORPORATIONS, I
through X, inclusive,

Defendants.

Case No: 2:13-cv-02027-RCJ-NJK

**STIPULATION AND ORDER FOR
PRELIMINARY INJUNCTION**

WHEREAS, Plaintiffs DAVID A. CASTELLAN and CECELIA CASTELLAN and
Defendant SETERUS, by and through their respective counsel of record, hereby stipulate and
respectfully request an order to enjoin and to stay the trustee's sale of the real property located as
1801 Candle Bright Drive, Henderson, NV 89074 (APN No. 178-09-410-001) currently
scheduled for December 23, 2013 as follows:

- 1) Seterus will agree to postpone and stay the foreclosure sale of the subject property
until agreement between the parties or further order of this Court.
- 2) As a bond for this injunction, Plaintiff will pay the monthly mortgage payments of
\$1,304.50 payable to Brooks Bauer LLP, Client Trust Account and delivered to 1645

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Village Center Circle, Suite 200, Las Vegas, Nevada 89128.

3) The first payment will be due on December 1, 2013.

4) Plaintiffs will continue making monthly payments during the pendency of the case or until further order of the court. If plaintiff fails to tender a payment within the first 5 days of the month, the Defendants may provide 10-day written notice of the failure to tender the agreed payment. If the payment default remains uncured, then the defendant may lodge a declaration with the Court advising it of the payment default along with an order terminating this injunction which shall be granted on an ex parte basis.

5) If Plaintiff is successful in retaining the property in this litigation, then all monthly payments will be applied to the mortgage. Alternatively, if the case is dismissed or judgment is granted for Defendant, then the money paid by Plaintiff will be forfeited as rent.

IT IS SO STIPULATED.

Dated: November 21, 2013.

Dated: November 21, 2013.

Respectfully submitted,

Respectfully submitted,

/s/ Jamie S. Cogburn
JAMIE S. COGBURN, ESQ.
COGBURN LAW OFFICES

/s/ Michael R. Brooks
MICHAEL R. BROOKS, ESQ.
BROOKS BAUER, LLP

Attorney for Plaintiffs
DAVID A. CASTELLAN and
CECELIA CASTELLAN

Attorney for Defendants
SETERUS, INC.

ORDER

IT IS SO ORDERED


UNITED STATES DISTRICT COURT JUDGE